

INDIANA BOARD OF PHARMACY

**Indiana Professional Licensing Agency
Conference Center Rooms 4 and 5
402 W. Washington St.
Indianapolis, IN 46204**

MINUTES OF July 9, 2007

CALL TO ORDER & ESTABLISHMENT OF QUORUM

President and Presiding Officer Steve Anderson called the meeting to order at 9:04 a.m. in Conference Center Rooms 4 & 5 of the Indiana Government Center-South, 302 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

Board Members Present:

Steve Anderson, R.Ph., President
William Cover, R.Ph., Vice President
Del T. Fanning, R.Ph., Member
Donna Wall, PharmD., R.Ph, Member
Sara St. Angelo, PharmD, Member
Winnie Landis, R.Ph., Member
Anika Calloway, J.D., Member

Board Members Not Present:

State Officials Present:

Amy M. Phillips, Assistant Board Director, Indiana Professional Licensing Agency
Gordon White, DAG, Advisory Counsel, Office of the Attorney General

ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

Wall/St. Angelo

Motion carried 7/0/0

ADOPTION OF MINUTES FROM June 11, 2007 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes of the June 11, 2007 meeting of the Board, as amended.

Fanning/Cover

Motion carried 7/0/0

PERSONAL APPEARANCES

Reports were given by the Compliance Officers.

Lucas Sweet appeared before the Board regarding a positive response on his pharmacy technician application. A motion was made and seconded to approve his application.

Landis/Cover

Motion carried 7/0/0

Andrea Bowen failed to appear before the Board regarding a positive response on her pharmacy technician application. A motion was made and seconded to deny the application.

Wall/Fanning

Motion carried 7/0/0

Kristen Dean appeared before the Board regarding a positive response on her pharmacy technician application. A motion was made and seconded to issue a probationary pharmacy technician license.

Wall/St. Angelo

Motion carried 7/0/0

Janna Fett appeared before the Board regarding a positive response on his pharmacy intern application. A motion was made and seconded to issue a probationary pharmacist intern permit to Janna Fett.

Wall/Cover

Motion carried 7/0/0

Leah Berg appeared before the Board regarding her pharmacist examination application. A motion was made and seconded to approve her pharmacist examination application.

Cover/Landis

Motion carried 7/0/0

Lester McLaurin appeared before the Board regarding his license transfer application. A motion was made and seconded to approve his license transfer application.

Wall/St. Angelo

Motion carried 7/0/0

Administrative Hearings started at 10:26 a.m. beginning with the following:

State of Indiana vs. Suranna Ashman, R.Ph.

License No. 26017205A

Administrative Cause No. 2007 IBP 0014

Re: Petition for Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Fanning
Anderson
St. Angelo
Cover
Calloway
Wall
Landis

Case Summary:

State of Indiana filed a petition seeking the emergency summary suspension of Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to summarily suspend the Respondent's license for ninety (90) days.

Wall/Fanning

Motion carried 7/0/0

State of Indiana vs. Charles Lindstrom, R.Ph.

License No. 26012389A

Administrative Cause No. 2006 IBP 0002

Re: Presentation of Settlement Agreement

State of Indiana vs. Nora Apothecary

License No. 60002143A

Administrative Cause No. 2006 IBP 0005

Re: Presentation of Settlement Agreement

Parties and Counsel Present:

Libby Kiefner, Deputy Attorney General

Thomas W. Farlow, Respondent's counsel

Charles Lindstrom, Respondent and for the Respondent Nora Apothecary

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

The parties presented settlement agreements for both matters.

Board Action:

A motion was made and seconded to approve the settlement agreement, as modified.

St. Angelo/Cover

Motion carried 7/0/0

State of Indiana vs. Deborah DeRolf Jenkins

License No. 26018018A

Administrative Cause No. 2006 IBP 0003

Re: Motion to Dismiss

Parties and Counsel Present:

Libby Kiefner, Deputy Attorney General

Thomas W. Farlow, Respondent's counsel

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

The State moved to dismiss the matter.

Board Action:

A motion was made and seconded to dismiss this matter.

Landis/Cover

Motion carried 7/0/0

State of Indiana vs. Michael Long, R.Ph.

License No. 26020903A

Administrative Cause No. 2006 IBP 0028

Re: Petition for Reinstatement

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Michael Long, Respondent

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

Respondent filed a Petition for Reinstatement of his suspended license.

Witnesses for the Respondent:

Michael Long, Respondent

Carl Erdmann, PRN Representative

Witnesses for the State:

None

Board Action:

A motion was made and seconded to withdraw the suspension on his license and to place it on probation.

Wall/Landis

Motion carried 7/0/0

State of Indiana vs. Daniel Behrens, R.Ph.

License No. 26020621A

Administrative Cause No. 2006 IBP 0027

Re: Extension of Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall
Landis

Case Summary:

State of Indiana seeks an extension of the summary suspension for Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Wall/Cover

Motion carried 7/0/0

The Board adjourned for lunch. The meeting reconvened at 1:08 P.M.

State of Indiana vs. Gary Shingleton, R.Ph.

License No. 26017494A

Administrative Cause No. 2002 IBP 009

Re: Default Hearing

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Wall
Fanning
Anderson
St. Angelo
Cover
Calloway
Landis

Case Summary:

A notice of proposed default was issued adverse the Respondent.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to hold the Respondent in default.

Fanning/Wall

Motion carried 7/0/0

A motion was made and seconded to revoke the Respondent's license.

Wall/St. Angelo

Motion carried 7/0/0

State of Indiana vs. Katie Voltz, Technician-in-Training

Certification No. 99022819A

Administrative Cause No. 2007 IBP 0004

Re: Final Hearing

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

A Complaint was filed adverse the Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to issue a notice of proposed default.

Landis/Calloway

Motion carried 7/0/0

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Fanning/Cover

Motion carried 7/0/0

State of Indiana vs. Edward Fritz, R.Ph.

License No. 26017248A

Administrative Cause No. 2005 IBP 0013

Re: Default Hearing

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Wall

Fanning

Anderson

St. Angelo

Cover

Calloway

Landis

Case Summary:

A notice of proposed default was issued adverse the Respondent.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to hold the Respondent in default.

Fanning/Wall

Motion carried 7/0/0

A motion was made and seconded to indefinitely suspend the Respondent's license.

Cover/St. Angelo

Motion carried 7/0/0

State of Indiana vs. Ryan Raines, Pharmacy Technician

Certification No. 67008275A

Administrative Cause No. 2006 IBP 0038

Re: Extension of Summary Suspension

Parties and Counsel Present:

Shelley Johnson, Deputy Attorney General

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

State of Indiana seeks an extension of the summary suspension for Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Wall/Landis

Motion carried 6/0/0

Calloway left during the Raines hearing and returned after the vote.

The Board discussed the bar code technology legislative report that is due November 1, 2007. Ms. Wall volunteered to write the report.

Ron Snow personally appeared to discuss CVS/pharmacy's Pathways to Pharmacy Internship Program.

The Board approved the pharmacist renewal application pending successful completion of the MPJE:

Gregory Milanich

Cover/Fanning

Motion carried 7/0/0

The Board denied the pharmacy intern renewal for the following, based on not having the FPGE:

Heidi Cevallos

Cover/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacist applications:

Jason Fox
Lewis Belcher
Matthew Pfister

St. Angelo/Wall

Motion carried 7/0/0

A motion was made and seconded to request a personal appearance for the following pharmacist examination applicant:

Matthew Bailey

St. Angelo/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacist intern application:

Evan McGee

St. Angelo/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacy technician application:

Nicholas Schnur

St. Angelo/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacy technician application:

Logan Stone

St. Angelo/Fanning

Motion carried 7/0/0

Jillian Sentiere failed to appear before the Board regarding a positive response on her pharmacy technician application. Will request appearance for the August meeting.

Wall/St. Angelo

Motion carried 7/0/0

The Board approved the following new store applications, pending successful inspection:

<i>Store</i>	<i>Type</i>	<i>Opening</i>	<i>Received</i>
Martin's Pharmacy #16 12850 SR 23 Granger, IN 46530	I	September 15, 2007	June 21, 2007
Martin's Pharmacy #18 3420 E Market St Logansport, IN 46947	I	September 15, 2007	June 22, 2007
CVS/pharmacy #4727 6511 South State Rd 334 Zionsville, IN 46022	I	July 29, 2007	June 28, 2007
CVS/pharmacy #7541 5981 W Broadway McCordsville, IN 46055	I	July 29, 2007	June 28, 2007

Cover/Fanning

Motion carried 7/0/0

A motion was made and seconded to approve the following change of location/remodel applications:

<i>New</i>	<i>Old</i>	<i>Received</i>
Sam's Pharmacy #10-1180 790 Greensburg Commons Greensburg, IN 47240	Remodel	June 21, 2007
Munster Med Ctr Infusion Prod 9466 Calumet Ave Munster, IN 46321	Remodel	June 27, 2007
Wellfount Corp 5704 W 79th St Indianapolis, IN 46278	Remodel	July 2, 2007
Precision Rx Specialty Solutions 2825 W Perimeter Rd Ste 116 Indianapolis, IN 46241	Remodel	June 28, 2007
Walgreen Co Dba Walgreens #10973 1530 N Meridian St Indianapolis, IN 46202	Walgreens #02795 2719 W 16th Indianapolis, IN 46222	July 3, 2007
Wal-Mart Pharmacy 10-1142 1618 W McClain Scottsburg, IN 47170	Remodel	July 2, 2007
Walgreens #11085 52482 State Road 933 South Bend, IN 46637	Walgreens #11219 52578 State Road 933 South Bend, IN 46637	July 9, 2007

Landis/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following change of location/remodel application:

Hook-SupeRx, LLC Dba CVS/pharmacy #6878 617 W 6th St Jasper, IN 47546	435 US 231 N Jasper, IN 47546	June 27, 2007
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Cover/Fanning

Motion carried 7/0/0

A motion was made and seconded to approve the following change of ownership application:

New	Old	Received
Scott's Pharmacy J-417 1801 M Wayne St Angola, IN 46703	Scott's Pharmacy	June 20, 2007
Scott's Pharmacy J-403 710 E Dupont Rd Fort Wayne, IN 46825	Scott's Pharmacy	June 20, 2007
Select Specialty Hospital- Evansville, LLC 400 SE 4 th Evansville, IN 47713	Select Specialty Hospital-Evansville, Inc	March 23, 2007
Scott's Pharmacy J-10 350 N Grandstaff Dr Auburn, IN 46706	Scott's Pharmacy #211	July 5, 2007
Scott's Pharmacy J-407 929 S 13th St Decatur, IN 46733	Scott's Pharmacy	July 5, 2007
Scott's Pharmacy J-405 4120 N Clinton St Fort Wayne, IN 46805	Scott's Pharmacy	July 5, 2007
Scott's Pharmacy J-413 3105 N Anthony Blvd Fort Wayne, IN 46805	Scott's Pharmacy	July 5, 2007

Fanning/Wall

Motion carried 7/0/0

The Board approved the following store closings:

<i>Store</i>	<i>Type</i>	<i>Date closed</i>
PRN Pharmaceutical Services LP 540 N Memorial Dr New Castle, IN 47362	III	June 21, 2007
Kroger Pharmacy J-955 8707 Hardigan Indianapolis, IN 46227	VI	June 13, 2007

Wall/St. Angelo

Motion carried 7/0/0

The Board approved the appearances of the following probationers:

Gerry Bowman
James Dudek
Robert Jaberg
Ricky Matthews
Teri Mihelich
Dennis Mock
Elaine Niese
Muataz Noffel

Edward Hine
Jeremiah Strunc
Gary Trauth
Ernest Whitacre

Fanning/Wall

Motion carried 7/0/0

The Board approved the appearances of the following probationers:

Ruth Murr
Daniel Weaver

Fanning/Wall

Motion carried 7/0/0

The following probationers did not appear:

Steven Zehring
Robert Jaberg

A motion was made and seconded to approve the following licensure transfers:

Steven Roberts	(IL)
Heather Adams	(FL)
Eddie Gordon	(IL)
Sarah Nordmeyer	(OH)
Dawn Moore	(WI)
Mark Weese	(CA)
Jessica Weese	(PA)
Kangsan Lammers	(OH)
Stan Stevens	(KS)
Alex Varkey	(TX)
Sarah Nisly	(KS)
Katherine Shea	(VA)
Laura Ruckert	(MN)

St. Angelo/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacy technician applications:

Joseph Csmereka
Debra McIntosh
Akasia Eppers
Nathan Humphrey

Landis/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacy technician applications:

Michael Goodrich

Landis/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to table the following pharmacy technician application and request more information regarding the outcome of the criminal case:

Ronald Wensing

Landis/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to request a personal appearance of the following pharmacy technician, as well as an appearance from his qualifying pharmacist:

Eric Pepperman

Landis/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following non-resident pharmacy applications:

Factor Care Pharmacy, LLC
Soporex Respiratory Inc

Wall/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following non-resident pharmacy application:

Cincinnati Clinical Intervention Center

Wall/Calloway

Motion carried 7/0/0

A motion was made and seconded to table the following non-resident pharmacy applications and request more information on how they ship specialty drugs that may need refrigeration:

Med Specialties Compounding Pharmacy
Bobs Pharmacy and Diabetic Supplies LLC

Wall/Cover

Motion carried 7/0/0

A motion was made and seconded to table the following non-resident pharmacy application and request more information on their hours available:

US Compounding Inc

Wall/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following wholesale drug distributor application:

Harris Pharmaceutical, Inc

Wall/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacy technician applications:

Alexis Keen
Zarena Galloway
Holyn Cash
Frances Gray
Mary Wilkins

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following HME Provider applications pending inspection:

Prism Healthcare Services, Inc
MRB Acquisition Corporation
Fite's Medical Mobility Inc
Centrad Healthcare, Inc
BHS Inc
Professional Healing Solutions, LLC
People 1st Medial Supply
RMI, Inc

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following HME Provider change of location applications:

Lincare Inc
Vitalmed, Inc

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to table the following HME Provider application for more information:

Life DME LLC

Anderson/Calloway

Motion carried 7/0/0

A motion was made and seconded to approve the following EDI application:

Zix Corporation

Cover/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following continuing education applications:

James J. Roy (0.5)
Michael Todt (1)

Anderson/St. Angelo

Motion carried 7/0/0

The meeting adjourned at 3:29 p.m.

Steve Anderson, R.Ph., President
Indiana Board of Pharmacy

Date

Next Scheduled Meeting:

Monday, August 13, 2007
Indiana Professional Licensing Agency
Conference Room W064